

**United States District Court
District of Massachusetts**

UNITED STATES OF AMERICA,)
)
v.)

Criminal Action
No. 04-10237

JONATHAN MATOS,)
DEFENDANT,)

**Joint Motion to Extend Time
for Filing Memorandum**

1. The defendants, Jonathan Matos and Ramon Diaz, and the government request a 45 day extension for filing memorandum in the above matter until further discovery can be completed.
2. On September 13, 2005 the defendant's evidentiary Motion to Suppress was heard and argued. Discovery was requested and ordered as a result of that hearing. The hand notes of surveillance conducted by the arresting officer, phone logs from a Federal subpoena and a drug analysis of the Confidential Informant purchase in January 2004 were to be provided.
3. The United States Attorney has complied with that discovery.
4. The hand notes and the phone log suggest inconsistencies in the officers testimony. The drug certificate for the January controlled buy was not submitted for analysis until March 2004. As a result of the delay in submitting the analysis the defendants have requested further discovery from the U.S. Attorney regarding chain of custody of the drugs in question. Request was made for copies of all logs, records and documentation regarding said drug and copies of New Bedford policies on chain of custody. The U.S. Attorney has agreed to provide said information, but needs time to gather said information. The defendants currently await that information.

Wherefore, all parties request permission to file supplemental memorandum within 45 days. The defendants also request permission for a further hearing on this matter after the discovery is provided.

Assented to:

/s/ Kimberly West

Kimberly West, Esquire

/s/ Raymond O'Hara

Raymond O'Hara, Esquire

Respectfully submitted,
Jonathan Matos
By his Attorney,

/s/ John E. DeVito

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